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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,283	04/20/2000	Joseph M. Cannon	99-89-46	5478
7590	01/23/2004		EXAMINER	
MANELLI DENISON & SELTER PLLC 2000 M STREET, NW SUITE 700 WASHINGTON, DC 20036-3307			NGUYEN, DAVID Q	
ART UNIT	PAPER NUMBER			
2681	<i>Re:seq. 1 #9</i>			

DATE MAILED: 01/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/553283	04/20/00	Joseph M. Cannon	99-89-46

EXAMINER	
David Q. Nguyen	
ART UNIT	PAPER NUMBER
2681	9

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. The communication filed 08/14/03 is informal/non-responsive for the reason(s) checked below and should be corrected. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.

- a. The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
- b. The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
- e. Other

Please see attached.

2. In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED _____ IS EXTENDED TO RUN _____ MONTH(S).

No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.

4. Other

DETAILED ACTION

Response to Amendment

1. The reply filed on 08/14/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Newly submitted claims 23-30 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Original claims 1-22 are directed to an access monitoring base unit comprising a database to contain at least one entry relating to presence of a monitored person within a monitored area; and an automatic dialing unit adapted to automatically call a particular telephone number when said monitored person either enters or exits said monitored area.

The Newly submitted claims 23-30 are directed to a telephone answering device comprising a digital answering machine device automatically answers an incoming call when said monitor module determines that said user is not present, and allows additional rings when said user is present.

The original claims 1-22 never claim or recite "a telephone answering device comprising a digital answering machine device automatically answers an incoming call when said monitor module determines that said user is not present, and allows additional rings when said user is present" as claimed in the newly submitted claims 23-30.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

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abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 7036054254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

DN
David Nguyen

Sinh
SINH TRAN
PRIMARY EXAMINER